

DATE: September 5, 2006

In Re:

SSN: -----

Applicant for Security Clearance

ISCR Case No. 04-11769

APPEAL BOARD SUMMARY DISPOSITION

APPEARANCES

FOR GOVERNMENT

Peregrine D. Russell-Hunter, Chief Department Counsel

FOR APPLICANT

Pro Se

The Defense Office of Hearings and Appeals (DOHA) declined to grant Applicant a security clearance. On August 11, 2005, DOHA issued a statement of reasons (SOR) advising Applicant of the basis for that decision--security concerns raised under Guideline F (Financial Considerations) of Department of Defense Directive 5220.6 (Jan. 2, 1992, as amended) (Directive). Applicant requested a hearing. On March 27, 2006, after the hearing, Administrative Judge Michael J. Breslin denied Applicant's request for a security clearance. Applicant timely appealed pursuant to the Directive §§ E3.1.28 and E3.1.30.

Applicant's appeal brief contains no assertion of error on the part of the Administrative Judge. It only contains a request that the Board reconsider the Judge's decision and reinstate

Applicant's clearance in order to give her an opportunity to resolve her financial problems by filing for bankruptcy. [\(1\)](#)

The Board's authority to review a case is limited to cases in which the appealing party has alleged the Administrative Judge committed harmful error. Applicant has not made an allegation of harmful error. The Board does not review a case *de novo*. It has no authority to grant Applicant a conditional or probationary security clearance to allow her the opportunity to have a security clearance while she works on her financial problems. *See* ISCR Case No. 03-07418 at 3 (App. Bd. Oct. 13, 2004). Therefore, the decision of the Administrative Judge denying Applicant a security clearance is **AFFIRMED**.

Signed: Michael Y. Ra'anan

Michael Y. Ra'anan

Administrative Judge

Chairman, Appeal Board

Signed: Jeffrey D. Billett

Jeffrey D. Billett

Administrative Judge

Member, Appeal Board

Signed: William S. Fields

William S. Fields

Administrative Judge

Member, Appeal Board

1. Applicant asks that the Board advise her as to whether her filing for bankruptcy will resolve the government's security concerns. The Board does not issue such advisory opinions. *See* 02-28921 at 3 (App. Bd. July 8, 2004). Applicant also notes that she is a loyal American. Adverse security clearance determinations are based upon the national interest and are in no sense a determination as to the loyalty of the applicant concerned. *See* E.O. 10865, Section 7.